

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

WHITE & CASE LLP

Gregory F. Pesce (admitted *pro hac vice*)
111 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 881-5400
Email: gregory.pesce@whitecase.com

- and -

Andrew Zatz
Samuel P. Hershey (admitted *pro hac vice*)
Barrett Lingle (admitted *pro hac vice*)
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 819-8200
Email: azatz@whitecase.com
sam.hershey@whitecase.com
barrett.lingle@whitecase.com

Proposed Counsel to Debtors and Debtors-in-Possession

KEN ROSEN ADVISORS PC

Kenneth A. Rosen
80 Central Park West
New York, New York 10023
Telephone: (973) 493-4955
Email: ken@kenrosenadvisors.com

Proposed Co-Counsel to Debtors and Debtors-in-Possession

In re:

CBRM REALTY INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 25-15343 (MBK)
(Jointly Administered)

Re: Docket Nos. 87, 175
Hearing Date: June 26, 2025

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: CBRM Realty Inc. (2420), Crown Capital Holdings LLC (1411), Kelly Hamilton Apts LLC (1115), Kelly Hamilton Apts MM LLC (0765), RH Chenault Creek LLC (8987), RH Copper Creek LLC (0874), RH Lakewind East LLC (6963), RH Windrun LLC (0122), RH New Orleans Holdings LLC (7528), and RH New Orleans Holdings MM LLC (1951). The location of the Debtors' service address in these chapter 11 cases is: In re CBRM Realty Inc., et al., c/o White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020.

**DECLARATION OF BARRETT LINGLE
IN SUPPORT OF DEBTORS' OBJECTION TO
CLEVELAND INTERNATIONAL FUND – NRP WEST EDGE, LTD.'S
MOTION TO DISMISS THE CHAPTER 11 CASE OF RH LAKEWIND EAST LLC**

I, Barrett Lingle, declare pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge, information, and belief:²

1. I am an associate in the Financial Restructuring and Insolvency Group of White & Case LLP (“**White & Case**” or the “**Firm**”), which maintains offices for the practice of law at, among other locations, 1221 Avenue of the Americas, New York, New York 10020. White & Case is the proposed bankruptcy counsel to the above-captioned debtors and debtors in possession (the “**Debtors**”), effective as of the Petition Date, including RH Lakewind East LLC (“**Lakewind**”). Among other admissions, I am a member in good standing of the Bar of the State of New York, and I have been admitted to practice in New York. There are no disciplinary proceedings pending against me in any jurisdiction.

2. I hereby submit this declaration (the “**Declaration**”) in support of the *Debtors’ Objection to Cleveland International Fund – NRP West Edge, Ltd.’s Motion to Dismiss the Chapter 11 Case of RH Lakewind East LLC* (the “**Objection**”). Except as otherwise indicated, all facts set forth herein are based on my personal experience and knowledge or documents and information available to me as the proposed bankruptcy counsel to the Debtors. Certain of the disclosures set forth herein relate to matters not within my personal knowledge but rather within the knowledge of other attorneys and employees at White & Case and are based on information provided to me by them.

² Capitalized terms used but otherwise not defined herein shall have the meanings ascribed to such terms in the Objection.

3. Attached as **Exhibit A** is a true and correct copy of the Certificate of Formation of RH Lakewind East LLC dated October 26, 2017.

4. Attached as **Exhibit B** is a true and correct copy of the Operating Agreement of RH Lakewind East LLC dated December 2017.

5. Attached as **Exhibit C** is a true and correct copy of the *Property Management Agreement* dated September 16, 2019, by and between Mr. Silber, on behalf of Lakewind East LLC, and The Lynd Company, pursuant to which Lynd has served as the manager of the Property since September 26, 2019.

6. Attached as **Exhibit D** is the Operating Agreement of Laguna Reserve APTS Investor LLC dated April 25, 2023.

7. Attached as **Exhibit E** is a true and correct copy of the Forbearance Agreement dated August 29, 2024.

8. Attached as **Exhibit F** is a true and correct copy of the Omnibus Written Consent dated December 9, 2024.

9. Attached as **Exhibit G** is a true and correct copy of the notice of default and reservation of rights dated November 27, 2024 addressed to Laguna Reserve APTS Investor LLC from Cleveland International Fund – NRP West Edge, Ltd.

10. Attached as **Exhibit H** is a true and correct copy of the letter dated May 19, 2025 from White & Case LLP, proposed counsel to the Debtors, to Cleveland International Fund – NRP West Edge, Ltd., which includes as an attachment thereto the Written Consent of Crown Capital Holdings LLC dated May 19, 2025.

[Remainder of page intentionally left blank]

Pursuant to Section 1746 of Title 28 of the United States Code, I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge, and belief.

Dated: June 18, 2025
New York, New York

By: /s/ Barrett Lingle
Barrett Lingle
Associate
White & Case LLP